NITED STATES PATENT AND TRADEMARK OFFICE Applicant Motohiro Terao 10/694,380 Serial No. Filed October 27, 2003 For

Latanya Bibbins

APPARATUS FOR AND METHOD OF RECORDING DATA, AND

PROGRAM

Art Unit 2633

> 745 Fifth Avenue New York, NY 10151 Tel: 212-588-0800

Mail Stop Amendment **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Examiner

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required.

The fee has been calculated as shown below.

 $\overline{\boxtimes}$ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	17	Minus	** = 20	* 0 x	\$50 (25)	= \$ 0
Independent claims	3	Minus	***=3	* 0 x	\$200 (100)	= \$ 0
Total additional fee for this amendment					\$ 0	

- If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.
- If the highest number of total claims previously paid for is less than 20, write "20" in this space.
- If the highest number of independent claims previously paid for is less than 3, write "3" in this space.
- This application contains a multiple dependent claim. The required fee of \$300 (150) has been previously paid \square , or is paid herewith .
- This response is being filed within the second month following the expiration of the term originally set therefor. This is a petition to request a two month extension of time. A check covering the cost of the petition is enclosed.
- A check in the amount of \$450.00 is attached, which covers the cost of \square additional claims \boxtimes petition for extension of time.
- Charge \$_____ to Deposit Account No. 50-0320.
- Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

FIRST CLASS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 13, 2006.

Thomas F. Presson, Reg. No. 41,442

Name of Applicant, Assignee or Registered Representati Signature

> November 13, 2006 Date of Signature

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

Attorneys for Applicants

Thomas F. Presson

Reg. No. 41,442